

MS6

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Pablo Pedro SANCHEZ-Martinez,


Defendant

) Magistrate Docket No.
) '08 MJ 2530
) COMPLAINT FOR VIOLATION OF DEPUTY) Title 8, U.S.C., Section 1326
) Deported Alien Found in the
) United States
)
)
)

The undersigned complainant, being duly sworn, states:

On or about **August 13, 2008**, within the Southern District of California, defendant, **Pablo Pedro SANCHEZ-Martinez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 James Trombley
 Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 15th DAY OF AUGUST, 2008.


 Ruben B. Brooks
 UNITED STATES MAGISTRATE JUDGE

 DOA
 8/13/08
 KMA

MSJ

CONTINUATION OF COMPLAINT:**Pablo Pedro SANCHEZ-Martinez****PROBABLE CAUSE STATEMENT**

On August 13, 2008, Border Patrol Agent J. Cadena was patrolling the Thousand Trails Campground located in Jamul, California. This area is approximately five miles east of the Otay Mesa, California Port of Entry and approximately three miles north of the United States/Mexico International Boundary.

At approximately 4:45 p.m., a citizen approached Agent Cadena and reported a suspicious Hispanic male wearing a black t-shirt and white pants with blue stripes near the pool area of the campground. The citizen stated that the individual was requesting a ride to San Diego, California and was offering to pay \$300.00 dollars for it. Agent Cadena arrived at the pool area and observed an individual matching the description. Agent Cadena identified himself as a Border Patrol Agent and conducted an immigration inspection. When Agent Cadena asked the individual, later identified as the defendant **Pablo Pedro SANCHEZ-Martinez**, where he was born, the defendant initially stated "Bakersfield." When the defendant was asked for identification, he stated that he did not have any with him. When questioned further, the defendant admitted that he was in the United States illegally. When asked again, the defendant admitted that he was born in Oaxaca, Mexico and that he did not have any United States immigration documents that would allow him to be or remain in the United States legally. At approximately 5:00 p.m., the defendant was arrested and transported to the Brown Field Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **May 6, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.